

BILL NO. S-69-12-09

SPECIAL ORDINANCE NO. S-390-70

AN ORDINANCE approving an Agreement with NIEMEYER CORPORATION for construction of a Sanitary Sewer for Trier Ridge Park, Section III.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement approved December 8, 1969, between NIEMEYER CORPORATION, as Developer, and the CITY OF FORT WAYNE, INDIANA, by and through its Mayor and Board of Public Works, for the construction of a Sanitary Sewer for Trier Ridge Park, Section III, as follows:

SANITARY SEWER LATERAL NO. 1: An 8-inch sanitary sewer commencing at the southeast corner of the intersection of Newland Drive and Montagne Drive, of Trier Ridge Park, Section III, running in a westerly direction along the south side of Montagne Drive, said sewer being approximately 316.5 feet in length and serving the following lots in said Section III, No. 149, 150, 151, 152, 153, 154 and 155, terminating at the Northwest corner of Lot 150.

SANITARY SEWER LATERAL NO. 5: An 8-inch sanitary sewer commencing at the northwest corner of Lot No. 161 of Trier Ridge Park, Section III, running in a southerly direction along the west sidelines of Lot No. 161, 162, 163 to the northwest corner of Lot No. 164, said sewer being approximately 283.1 feet in length and serving the following lots in said Section III, No. 156, 157, 158, 160, ~~161~~ 161, 162, 163 and 164, terminating at the Northwest corner of Lot 164,

the total cost of said sewer to be borne by Developer, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of

land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the water main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack R. Dunigan

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[Signature]
APPROVED AS TO FORM
AND LEGALITY, _____

[Signature]
CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by
Nuckols and duly adopted, read the second time by title and referred
to the (Committee on) city utilities (and to the City Plan
Commission for recommendation) (and Public Hearing to be held after due legal notice,
at the Council Chambers, City Hall, Fort Wayne, Indiana, on
the _____ day of _____, 196_____, at _____ o'clock
P.M., E.S.T.

Date: 12-23-69 Frank J. Bonachoon
City Clerk

Read the third time in full and on motion by Geake
seconded by Steigerwald and duly adopted, placed on its passage.
Passed (lost) by the following vote:

AYES 7, NAYS 0, ABSTAINED _____, ABSENT 2 to-wit:

Adams	<u>✓</u>	_____	_____	<u>✓</u>
Dunifon	<u>✓</u>	_____	_____	_____
Fay	<u>✓</u>	_____	_____	_____
Geake	<u>✓</u>	_____	_____	_____
Nuckols	_____	_____	_____	<u>✓</u>
Robinson	<u>✓</u>	_____	_____	_____
Rousseau	<u>✓</u>	_____	_____	_____
Steigerwald	<u>✓</u>	_____	_____	_____
Tipton	<u>✓</u>	_____	_____	_____

Date 1-13-70 Frank J. Bonachoon
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(Zoning Map)(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. 5-390-70
on the 13th day of January, 1970.

ATTEST: (SEAL)

Frank J. Bonachoon
City Clerk

Harold S. Zeis
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day
of January, 1970 at the hour of 8:30 o'clock A.M., E.S.T.

Frank J. Bonachoon
City Clerk

Approved and signed by me this 14th day of January, 1970,
at the hour of 8:52 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-69-12-09

REPORT OF THE COMMITTEE ON CITY UTILITIES

We, your Committee on City Utilities to whom was referred an Ordinance
approving an Agreement with NIEMEYER CORPORATION for construction of a Sanitary
Sewer for Trier Ridge Park, Section III,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance No PASS.

WILLIAM K. GEAKE, Chairman

JACK K. DUNIFON, Vice-Chairman

CELIA ANN FAY

JOHN NUCKOLS

EDWIN J. ROUSSEAU

Wm K. Geake
Jack K. Dunifon
Celia Ann Fay
John Nuckols
Edwin J. Rousseau

CONCURRED IN

DATE 1-13-70 FUAD G. BONAHOOM, CITY CLERK